IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 17th day of February, 2005

IInd Bail application No. 131 of 2005

Order on Bail Application of accused

CRIMINAL SIDE

Satendra Yadav
S/o Sri Duli Chand
R/o Bairampur,
Police Station – Vijay Nagar
District – Ghaziabad (U.P.) .....Applicant

Versus

State of Uttranchal .....Opposite Party

Arising out of case crime No. 861 of 2004
U/Ss 302, 307, 34, 120-B I.P.C.
Police Station – Rudrapur
District- Udham Singh Nagar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 861 of 2004, U/Ss 302, 307, 34, 120-B I.P.C., Police Station – Rudrapur, District - Udham Singh Nagar.

Heard Sri Dharam Veer – Sr. Advocate, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

This is the second bail application as the first bail application has been rejected as not pressed.

The applicant has filed the copy of the statements of the eyewitnesses, namely, Raju Negi, Raj Kumar and Darshan Kumar, recorded before the court during the course of trial. These document reveal that all the three eyewitnesses have turn hostile. The F.I.R. also reveals that the aforesaid three eyewitnesses only are mentioned therein.

Keeping in view the facts and circumstances of the case, I think it is just and proper to release the applicant on bail at this stage.

Let the applicant Satendra Yadav be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

February 17, 2005 (**B.C. Kandpal, J.)**

Shiv